

Introduced by Senator Bowen

February 21, 2003

An act to amend Section 27279.1 of the Government Code, related to county recorders.

LEGISLATIVE COUNSEL'S DIGEST

SB 870, as introduced, Bowen. County recorders: electronic recording.

Existing law authorizes the county recorders in the Counties of San Bernardino and Orange to accept for recording, in lieu of a written paper document, a digitized image of a recordable instrument if specified conditions are met and the recorder determines that accepting electronically recorded documents is in the best interest of the county and the public, as specified.

This bill would authorize the county recorder in Los Angeles County to accept electronically recorded documents under these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 27279.1 of the Government Code is
2 amended to read:
3 27279.1. (a) The recorders of San Bernardino ~~County~~
4 *County, Los Angeles County*, and Orange County may accept, in
5 lieu of a written paper document, a digitized image of a recordable
6 instrument if both of the following conditions are met:



1 (1) The requester and addressee for delivery of the recorded
2 image meets the criteria set forth in either Section 27279.2 or
3 27279.3.

4 (2) The county recorder determines that accepting
5 electronically recorded documents from the requester is in the best
6 interest of the county and the public. Factors the county recorder
7 shall consider include, but are not limited to, both of the following:

8 (A) Whether or not the volume and quality of digitized
9 instruments submitted by the requester will be sufficient to warrant
10 electronic recordation.

11 (B) Whether, in order to protect the county and the public, the
12 requester has effective security precautions addressing potential
13 fraud and forging of documents in the electronic recordation
14 process.

15 (b) The Legislature finds and declares that, because of the
16 unique circumstances applicable to the counties referenced in
17 subdivision (a), as regards the present ability of these counties to
18 process digitized images for electronic recordation, a statute of
19 general applicability cannot be enacted within the meaning of
20 subdivision (b) of Section 16 of Article IV of the California
21 Constitution.

